

Serial No. 10/665,251
Amendment and Response to Office Action of September 14, 2005

REMARKS

Responsive to the final Office Action, Applicants have studied the Examiner's comments and the cited prior art. Prior to entry of this Amendment, claims 1-3, 6-8, 11-15, 17 and 20-26 are pending and rejected. Following entry of this Amendment, claims 12-15 and 28-45 are pending.

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35 U.S.C. 103 Rejections

Claims 1-3, 6-8, 11-15, 17 and 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuller et al. in view of Brach, Jr. et al., Lackomar and Ruiz.

Applicants have canceled claims 1-3, 6-8, 11, 17 and 20-26 without prejudice. Applicants have amended claim 12 to require a device for attaching an advertisement to a flexible hose including the features of: (1) a cylindrical foam member designed for placement on the flexible hose with the cylindrical foam member having a hollow core extending therethrough; (2) a covering adapted to at least substantially cover the cylindrical foam member with the covering including the advertisement; and (3) a first securing means for securing the covering to the cylindrical foam member.

None of the prior art references teach or suggest a cylindrical foam member having a hollow core designed for placement on a flexible hose. Fuller et al. teaches a resilient membrane 11 that is wrapped around a barrier 10 forming a closing seam 20. Fastener means 30 have to be applied along the closing seam 20 to hold the resilient membrane 11 around the barrier 10 as shown in Figs. 3 and 3A. See Fuller et al., 2:62-67. Thus, Fuller et al. does not teach or suggest a cylindrical foam member having a hollow core designed for placement on a flexible hose.

Claim 13 includes the feature that the hollow core has a diameter of about 1.5 inches and claim 14 includes the feature that the cylindrical foam member has a longitudinal slit designed for placing it on the flexible hose. These features are not taught or suggested by the cited prior art.

Applicants respectfully submit that amended claims 12-15 are allowable over the cited prior art.

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New Claims 28-45

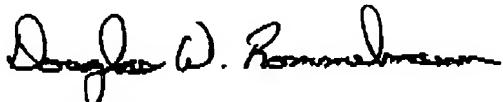
Applicants submit new claims 28-45 which Applicants respectfully submit are allowable.
No new matter has been introduced.

CONCLUSION

Applicants respectfully submit that all issues and rejections have been adequately addressed, that all pending claims are allowable, and that the case should be advanced to issuance.

If the Examiner has any questions or wishes to discuss the claims, Applicants encourage the Examiner to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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